

FORM A  
[Clause 4(a)]  
IN THE PROVINCIAL COURT  
OF SASKATCHEWAN

BETWEEN:

CLAIMANT

AND

RESPONDENT

**Notice of Application**

TO THIS HONOURABLE COURT:

CLAIM

1. I/We ask this Honourable Court for the following relief: *(leave blank any parts of this form that are not applicable to your claim)*

\_\_\_\_\_ An Order for maintenance for a child pursuant to section 3 of *The Family Maintenance Act, 1997* in accordance with the table;

\_\_\_\_\_ An Order for special or extraordinary expenses, as described in the *Child Support Guidelines*, for a child or a person mentioned in section 4 of *The Family Maintenance Act, 1997* respecting the following expenses and in the following amounts: \_\_\_\_\_ ;

\_\_\_\_\_ An Order for maintenance for a child or a person mentioned in section 4 of *The Family Maintenance Act, 1997* not in accordance with the table, in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ (week, month, etc., either for an indefinite or limited period, or until a specified event occurs, or a lump sum) because:

\_\_\_\_\_ maintenance is sought for a child who is 18 years of age or older and the amount in accordance with the table would be inappropriate;

\_\_\_\_\_ an order for child maintenance in an amount in accordance with the table would cause undue hardship, as described in the *Child Support Guidelines*;

\_\_\_\_\_ an order for child maintenance in an amount in accordance with the table would be inequitable given special provisions that have been made for the benefit of the child;

\_\_\_\_\_ the claimant/respondent exercises parenting time with respect to, or has physical custody of, the child for not less than 40% of the time over the course of a year;

\_\_\_\_\_ the income of the respondent is less than the minimum income incorporated in the table;

\_\_\_\_\_ other: (specify) \_\_\_\_\_ ;

\_\_\_\_\_ An order imputing income to the respondent in accordance with section 19 of the *Child Support Guidelines*, in the following amount and for the following reasons: \_\_\_\_\_

\_\_\_\_\_ An order for spousal maintenance in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ (week, month, etc., either for an indefinite or limited period, or until a \_\_\_\_\_ specified event occurs, or a lump sum);

\_\_\_\_\_ An order that maintenance be paid for a specified period before the date of the order as follows:

<u>Amount</u>	<u>Name of Dependant</u>	<u>Time Period</u>
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____

\_\_\_\_\_ An order that the respondent designate his or her dependant, \_\_\_\_\_, as beneficiary of the respondent's life insurance policy either:

\_\_\_\_\_ irrevocably; or

\_\_\_\_\_ until \_\_\_\_\_,  
(a specific date)

and that the respondent pay all premiums on that life insurance policy;

\_\_\_\_\_ An order that the respondent, who has an interest in a pension plan or other benefit plan, designate his or her dependant, \_\_\_\_\_, as a beneficiary under the plan: \_\_\_\_\_;  
(describe plan)

\_\_\_\_\_ Where this application requests maintenance for a child, an order that the respondent pay in addition:

\_\_\_\_\_ (a) expenses of the birth parent of the child with respect to prenatal care and birth of the child, in the amount of \$ \_\_\_\_\_;

\_\_\_\_\_ (b) maintenance for the birth parent of the child in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_;  
(a period not exceeding three months immediately preceding the birth of the child)

\_\_\_\_\_ (c) maintenance for the birth parent of the child in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_;  
(period after the birth of the child, not exceeding six months)

\_\_\_\_\_ Costs of the Application;

\_\_\_\_\_ That payment pursuant to the order be secured as follows: \_\_\_\_\_

\_\_\_\_\_ .

## SUMMARY OF FACTS

2. Where the application is for child maintenance:

\_\_\_\_\_ I claim maintenance for the following child(ren):

<u>Name</u>	<u>Date of Birth</u>
_____	_____
_____	_____
_____	_____
_____	_____

- \_\_\_\_\_ The nature of my relationship to and interest in the above child(ren) is as follows: \_\_\_\_\_

- \_\_\_\_\_ The respondent is a parent of the above child(ren) based on the following grounds: *(refer to specific sections of The Family Maintenance Act, 1997)*

- \_\_\_\_\_ As birth parent of the above child(ren), I claim maintenance and/or expenses for myself, based on clause 9(1)(f) of *The Family Maintenance Act, 1997*.

3. **Repealed.** 22 Sep 2023 SR 90/2023 s13.

4. Where the application is for spousal maintenance:

- \_\_\_\_\_ The respondent is the claimant's spouse based on the following grounds: *(refer to specific sections of The Family Maintenance Act, 1997)*

5. The Financial Statement of the claimant is attached to this Notice. *(A Financial Statement need not be filed if maintenance is sought only for a spouse and the parties consent to waive this requirement, in which case the Waiver of Financial Statements must be signed by you and your spouse and filed with the court. If an application is made for maintenance for a child pursuant to section 3 of The Family Maintenance Act, 1997, the Child Support Guidelines require the following information be filed:*

*Part I of the Financial Statement: by the respondent on all applications; by the claimant on all applications where the claimant's income information is required by the court.*

*Parts II and III of the Financial Statement: by the claimant and respondent in all applications where undue hardship or other exceptions to the table are claimed.)*

\_\_\_\_\_ Financial Statement

\_\_\_\_\_ Waiver of Financial Statements

\_\_\_\_\_ Maintenance for a child pursuant to section 3 of *The Family Maintenance Act, 1997* is sought in accordance with the table.

6. Where the application is for maintenance for a child pursuant to section 3 of *The Family Maintenance Act, 1997*:

\_\_\_\_\_ I estimate the respondent's annual income to be \$ \_\_\_\_\_ ;

\_\_\_\_\_ the respondent's province of residence is \_\_\_\_\_ ;

\_\_\_\_\_ additional income should be imputed to the respondent pursuant to section 19 of the *Child Support Guidelines* for the following reasons:

## MEDIATION

7. The mediation facilities used to negotiate maintenance issues in dispute in this matter are as follows:

## MAINTENANCE AGREEMENTS

8. The details of any written or oral maintenance agreements between the parties are:

(Indicate the date of the agreement or arrangement, whether the agreement or arrangement is now in effect, the maintenance provisions in the agreement or arrangement, and, if there are arrears of payment of maintenance, the amount of the arrears. Where it is requested that provisions of an agreement be incorporated in the order, refer to the specific provisions to be incorporated.)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

(Signature of Claimant or Claimant's Lawyer)

## STATEMENT OF LAWYER

I, \_\_\_\_\_, lawyer for the claimant, \_\_\_\_\_,   
*(name of lawyer)* *(name of claimant)*

certify to this Court that I have complied with the requirements of subsection 16(1) of *The Family Maintenance Act, 1997* with respect to mediation. (*Where the circumstances of the case are of such a nature that it would clearly not be appropriate to so comply, set out the circumstances.*)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

(Signature of Lawyer)

This document was delivered by \_\_\_\_\_ , \_\_\_\_\_ , and the  
*(firm name)* *(business address)*

address for service is:

Lawyer in charge of file:

Telephone:

*(Or, where claimant is not represented by a lawyer:)*

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_ ,  
*(claimant)* *(business or residence address)*

\_\_\_\_\_  
*(telephone)*

and the address for service is: